

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO, as representative of

THE COMMONWEALTH OF PUERTO
RICO, *et al.*

Debtors,¹

PROMESA

Title III

No. 3:17-BK-3283-LTS
(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as a representative of

PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY,

Debtor.

PROMESA

Title III

No. 3: 17-BK-03567 (LTS)

RE: ECF No. 2247

**This motion relates only to HTA
and shall be filed in the lead Case
No. 17 BK 3283-LTS and Case
No. 17 BK 3567-LTS.**

ORDER

The matter is before the Court on National Public Finance Guarantee Corporation's and Government Development Bank for Puerto Rico's Joint Motion to Hold in Abeyance the Motion of National Public Finance Guarantee Corporation for Entry of An Order under Bankruptcy Rule

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

2004 Authorizing Limited Discovery of the Government Development Bank for Puerto Rico (ECF No. 2247) (“Joint Motion”).

After consideration of the Joint Motion, the Court hereby ALLOWS the Joint Motion and HOLDS IN ABEYANCE the *Motion of National Public Finance Guarantee Corporation for Entry of an Order under Bankruptcy Rule 2004 Authorizing Limited Discovery of the Government Development Bank for Puerto Rico*, and its *Notice of Hearing* in Docket Nos. 2247 and 2250, pursuant to the following agreement between the parties:

1. GDB will produce documents relating to the SIB subaccount designated “Puerto Rico Highway and Transportation Authority Subordinated Transportation Revenue Bonds (Series 1998) Highway Subaccount” that are responsive to the requests attached as Schedule A to the proposed order accompanying the National Rule 2004 Motion (“Schedule A”). ECF. No. 2247-1.
2. GDB will commence the document production on February 19, 2018, on a rolling basis, and will complete such production no later than March 2, 2018.
3. GDB will designate an individual with knowledge of the matters discussed in Schedule A and will produce such designated individual for examination by counsel to National under oath. GDB will designate such individual for examination no later than March 2, 2018. Any such examination will be conducted in Puerto Rico at a place, date, and time that is mutually agreed upon by the parties, and counsel for GDB will attend and participate during such an examination.
4. If the parties are unable to resolve through the meet and confer process any disputes regarding the sufficiency of GDB’s production, upon notice to the Court and all parties, National may reinstate the National Rule 2004 Motion. If National moves to reinstate the

National Rule 2004 Motion, GDB will be permitted seven (7) days to file any response, and National will have seven (7) days to file a reply.

5. National's rights under Bankruptcy Rule 2004 and applicable law to request additional discovery are reserved, including its right to request additional documents or depositions based on information that may be revealed as a result of the information provided by GDB in response to National's requests. GDB's rights to oppose any such discovery, including any additional request under Bankruptcy Rule 2004, after the parties have exhausted the meet and confer requirements, will also be reserved.

The matter is consequently excluded from the matters to be considered in the February 7, 2018 omnibus hearing.

So ordered.

Judith Gail Dein